



Entered on Docket
May 19, 2010

A handwritten signature in black ink, appearing to read "Mike K. Nakagawa".

Hon. Mike K. Nakagawa
United States Bankruptcy Judge

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Attorneys for Secured Creditor WELLS FARGO BANK, N.A., SUCCESSOR BY MERGER
TO WELLS FARGO BANK SOUTHWEST, N.A. FORMERLY KNOWN AS
WACHOVIA MORTGAGE, FSB, FORMERLY KNOWN AS WORLD
SAVINGS BANK, FSB

UNITED STATES BANKRUPTCY COURT

DISTRICT OF NEVADA

In re

JEANNE B. CORRELL,

Debtor(s).

Bankruptcy Case No. BK-S-09-33559-mkn
Chapter 13

WELLS FARGO BANK, N.A.,
SUCCESSOR BY MERGER TO WELLS
FARGO BANK SOUTHWEST, N.A.
FORMERLY KNOWN AS WACHOVIA
MORTGAGE, FSB, FORMERLY KNOWN
AS WORLD SAVINGS BANK, FSB'S
ORDER TERMINATING AUTOMATIC
STAY

Date: April 28, 2010

Time: 1:30 p.m.

1 A hearing on Secured Creditor Wells Fargo Bank, N.A., successor by merger to
2 Wells Fargo Bank Southwest, N.A. formerly known as Wachovia Mortgage, FSB, formerly
3 known as World Savings Bank, FSB's Motion for Relief From the Automatic Stay came on
4 regularly for hearing in the United States Bankruptcy Court before the Honorable Mike K.
5 Nakagawa, Ace Van Patten appearing on behalf of Secured Creditor.

6 The court having duly considered the papers and pleadings on file herein and
7 being fully advised thereon and finding cause therefor:

8 IT IS HEREBY ORDERED, ADJUDGED AND DECREED:

9 The automatic stay of 11 United States Code section 362 is hereby immediately
10 terminated as it applies to the enforcement by Movant of all of its rights in the real property
11 under the Note and Deed of Trust encumbering the real property commonly known as 323 River
12 Glider Avenue, North Las Vegas, Nevada 89084 ("Real Property"), which is legally described
13 as:

14 SEE LEGAL DESCRIPTION ATTACHED
15 HERETO AS EXHIBIT A AND MADE A PART
16 HEREOF.

17 IT IS FURTHER ORDERED, ADJUDGED AND DECREED that Movant and/or
18 its foreclosure trustee shall mail written notice of the time, date and place of the foreclosure sale
19 of the Real Property to the Debtor(s) at the address for the Real Property at least 7 calendar days
20 prior to the foreclosure sale. In the event that Movant and/or its foreclosure trustee provides at
21 least 7 calendar days' advance notice of the time, date and place of the foreclosure sale of the
22 Real Property in compliance with the notice requirements set forth in Chapter 107 of Nevada
23 Revised Statutes, those notices shall be sufficient to satisfy the requirement of this Court to
24 provide 7 days' notice to the Debtor(s).

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1 IT IS FURTHER ORDERED, ADJUDGED AND DECREED that Movant may
 2 offer and provide Debtor with information re: a potential Forbearance Agreement, Loan
 3 Modification, Refinance Agreement, or other Loan Workout/Loss Mitigation Agreement, and
 4 may enter into such agreement with Debtor. However, Movant may not enforce, or threaten to
 5 enforce, any personal liability against Debtor if Debtor's personal liability is discharged in this
 6 bankruptcy case.

7 IT IS FURTHER ORDERED, ADJUDGED AND DECREED that upon entry of
 8 this Order, the Trustee shall cease payment on Secured Creditor's Proof of Claim. Secured
 9 Creditor's Proof of Claim is allowed in the amount of payments made to date by the Trustee.

10 IT IS FURTHER ORDERED, ADJUDGED AND DECREED that upon
 11 disposition of the Real Property, Secured Creditor may amend said Proof of Claim and share in
 12 any distribution from the date of the filing of the amended Claim pursuant to the confirmed Plan.

13 IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the Trustee is
 14 not required to recover previous distributions from other creditors for distribution on Secured
 15 Creditor's amended claim. This may result in a percentage of payment on Secured Creditor's
 16 amended Claim different than to other creditors.

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 18 APPROVED/DISAPPROVED APPROVED/DISAPPROVED

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 20 FRANK J. SORRENTINO(3) KATHLEEN A. LEAVITT
 21 DEBTOR(S) ATTORNEY TRUSTEE

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EXHIBIT A

LEGAL DESCRIPTION

PARCEL ONE (1):

LOT TWENTY-SEVEN (27) IN BLOCK ONE (1) OF THE PARKS UNIT 1, AS SHOWN BY MAP THEREOF ON FILE IN BOOK 94 OF PLATS, PAGE 25, IN THE OFFICE OF THE COUNTY RECORDER OF CLARK COUNTY, NEVADA, RESERVING THEREFROM A NON-EXCLUSIVE EASEMENT OF INGRESS AND EGRESS, USE AND ENJOYMENT OVER THE COMMON ELEMENTS AND PRIVATE STREETS AS SHOWN IN THE DECLARATION OF COVENANTS, CONDITIONS, AND RESTRICTIONS FOR THE PARKS HOMEOWNERS ASSOCIATION RECORDED AUGUST 18, 2000 IN BOOK 20000818 AS DOCUMENT NO. 01058, AS THE SAME MAY FROM TIME TO TIME BE AMENDED AND/OR SUPPLEMENTED IN THE OFFICE OF THE COUNTY RECORDER OF CLARK COUNTY, NEVADA.

PARCEL TWO (2):

A NON-EXCLUSIVE EASEMENT OF INGRESS AND EGRESS, USE AND ENJOYMENT OVER THE COMMON ELEMENTS AND PRIVATE STREETS AS SHOWN IN THE DECLARATION OF COVENANTS, CONDITIONS, AND RESTRICTIONS FOR THE PARKS HOMEOWNERS ASSOCIATION RECORDED AUGUST 18, 2000 IN BOOK 20000818 AS DOCUMENT NO. 01058, AS THE SAME MAY FROM TIME TO TIME BE AMENDED AND/OR SUPPLEMENTED IN THE OFFICE OF THE COUNTY RECORDER OF CLARK COUNTY, NEVADA.

ALTERNATIVE METHOD re: RULE 9021:

In accordance with LR 9021, counsel submitting this document certifies as follows (check one):

☐ The court has waived the requirement of approval under LR 9021.

☐ I certify that I have served a copy of this order with the motion, and no parties appeared or filed written objections.

☒ This is a chapter 7 or 13 case, and either with the motion, or at the hearing, I have delivered a copy of this proposed order to all counsel who appeared at the hearing, any unrepresented parties who appeared at the hearing, and each has approved or disapproved the order, or failed to respond, as indicated below [list each party and whether the party has approved, disapproved, or failed to respond to the document]:

☐ This is a chapter 9, 11, or 15 case, and I have delivered a copy of this proposed order to all counsel who appeared at the hearing, any unrepresented parties who appeared at the hearing, and each has approved or disapproved the order, or failed to respond, as indicated below [list each party and whether the party has approved, disapproved, or failed to respond to the document]:

☐ Approved.

☐ Disapproved.

☒ Failed to respond. – Debtor's Attorney/Trustee

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Submitted by:

/s/ ACE VAN PATTEN

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